

National Environmental Policy Act and National Historic Preservation Act Updates

2020 Stakeholder Workshop on Streamlining Environmental Reviews

- CEQ Final Rule issued July 16, 2020; Effective September 14, 2020
- Key goals: To improve efficiencies and timeliness of NEPA procedures
 - CEQ collected data from agencies on Environmental Impact Statements (EIS) completed between 2010 and 2018
 - Average TIME to complete = 4.5 years
 - Average PAGE length = 661 pages



Time and page limits

- For EISs
 - 2 years
 - 150 pages (300 for complex EISs)
- For Environmental Assessments (EA)
 - 1 year
 - 75 pages



- Key goals (continued):
 - Clarify regulatory text
 - Codify relevant case law
 - Informed, predictable, process
 - Enhanced coordination with states, tribes, and local entities
 - Allow applicants and contractors greater role in EIS and EA preparation





Strategies included:

- From Executive Order 13807 and One Federal Decision (OFD) MOU
 - Single EIS and Record of Decision (ROD)
 - Strengthens role of Lead Agency
 - Enhanced coordination with cooperating agencies
 - Coordination of schedules
 - Involvement of Senior Agency Official



Agencies Revise Procedures

DOI

- Draft DOI regulations with CEQ expect to finalize by year end
- Departmental Manual (516 DM 14)—expect to follow revised DOI regulations

Reclamation Manual

 Directive and Standard (D&S) ENV 03-02 in development—expect to finalize early 2021





Accomplishments: Reclamation as Lead Agency for EIS

- 9 EISs completed in last 18 months
 - ✓ Kachess Drought Relief Pumping Plant and Keechelus Reservoir-to-Kachess Reservoir Conveyance (4/26/19)
 - ✓ Mendota Pool Group 20-Year Exchange Program (1/10/20)
 - ✓ Pojoaque Basin Regional Water System (9/11/19)
 - ✓ El Dorado County Water Agency Water Service Contract (Fazio) (10/22/19)
 - ✓ Yolo Bypass Salmonid Habitat Restoration and Fish Passage (9/10/19)
 - ✓ BF Sisk Safety of Dams (12/3/19)
 - ✓ Re-initiation of Consultation on the Coordinated Long-term Operation of the Central Valley Project and State Water Project (2/18/20)
 - ✓ Long-Term Water Transfers (4/7/20)
 - ✓ Auburn Resource Management Plan-General Plan (8/21/20)
- 12 EISs in-progress; 4 paused



Accomplishments: Categorical Exclusions

- Currently: 12 Departmental categories; 31 Reclamation categories
- NEW Title Transfer CE established May 24, 2019
- Proposed Minor Revisions
 - 7 Existing CEs (516 DM 14.5)
 - Contracts (D4 and D14)
 - Land use authorizations (D8 and D10)
 - Grants and funding (E1, E2, and E3)
 - Federal Register Notice (target to publish as soon as cleared by CEQ and DOI)



Streamlining NHPA Section 106

Status

- Coordination with Advisory Council on Historic Preservation (ACHP)
- Sent letter of intent 8/25/20 to request Program Comment to exempt water distribution infrastructure.
- Notice to SHPOs, tribes, stakeholders and public—comment period closes 10/15/20.
- Decision target: 10/30/20.



